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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,706	05/22/2001	Shawn R. Gettemy	PALM-3650.US.P	2157

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EXAMINER

NGUYEN, JENNIFER T

ART UNIT	PAPER NUMBER
	2674

DATE MAILED: 01/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/863,706	GETTEMY ET AL.
Examiner	Jennifer T Nguyen	Art Unit 2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 05/22/2001.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-25 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-25 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a)  The translation of the foreign language provisional application has been received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_ .  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ . 6)  Other: \_\_\_\_ .

## DETAILED ACTION

1. This Office action is responsive to amendment filed on 11/10/2003.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5, 6, 8, 10, 11, 14, 16-19, 21, 22, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Callicott et al. (U.S. Patent No. 6,343,519) in view of Robsky et al. (U.S. Patent No. 5,838,309).

Regarding claims 1, 16 and 22, referring to Figs. 1-3, Callicott teaches a display assembly for a handheld electronic device comprising: a display mechanism (26); a plurality of pressure activated sensors (28); wherein mechanical transfer between said display mechanism (26) and said plurality of pressure activated sensors (28), and said pressure activated sensors (28) can be activated by mechanical pressure applied to the external surface of said display mechanism (26) (from col. 3, line 7 to col. 4, line 44).

Callicott differs from claims 1, 16 and 22 in that he does not specifically teach single-piece bezel-less top cover enclosure display mechanism. However, referring to Figs. 1-10, Robsky teaches single-piece bezel-less top (24) cover enclosure display mechanism (col. 3, lines 17-40, col. 4, lines 13-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the single-piece bezel-less top cover

enclosure display mechanism as taught by Robsky in the system of the Callicott in order to provide a moisture and dust free environment for the touch screen mechanism.

Regarding claims 5, 17, 21, and 25, the combination of Callicott and Robsky teaches a transparent flexible thermoplastic outer film and supporting structure that is co-molded to said transparent flexible thermoplastic outer film (col. 3, lines 17-40 of Robsky).

Regarding claims 6 and 18, the combination of Callicott and Robsky teaches the transparent flexible thermoplastic outer film has sufficient deflection under external pressure to apply mechanical pressure to said display mechanism which applies pressure to said plurality of pressure activated sensors (col. 1, lines 10-15, col. 2, lines 1-4 of Robsky).

Regarding claims 8, 14, 19 and 24, the combination of Callicott and Robsky teaches the single-piece bezel less top cover is a flat top surface free of any indentation (Figs. 1-10 of Robsky, col. 3, lines 17-40, col. 4, lines 13-67).

Regarding claim 10, the combination of Callicott and Robsky teaches single-piece bezel-less top cover is a transparent rigid cover (col. 3, lines 52-54 of Robsky).

Regarding claim 11, the combination of Callicott and Robsky teaches a back cover (12) (col. 3, lines 17-21 of Robsky).

4. Claims 2-4, 7, 9, 12, 13, 20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Callicott et al. (U.S. Patent No. 6,343,519) in view of Robsky et al. (U.S. Patent No. 5,838,309) and further in view of Kent et al. (U.S. Patent No. 6,492,979).

Regarding claim 2, the combination of Callicott and Robsky differs from claim 2 in that it does not specifically teach the display mechanism is disposed above said plurality of pressure activated sensors. However, referring to Figs. 3-9, Kent teaches display mechanism (301) is

disposed above said plurality of pressure activated sensors (300) (from col. 5, line 36 to col. 6, line 28). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the display mechanism is disposed above said plurality of pressure activated sensors as taught by Kent in the system of the combination of Callicott and Robsky in order to improve the display quality.

Regarding claim 3, the combination of Callicott, Robsky, and Kent teaches said display mechanism (301) is in direct contact with said plurality of pressure activated sensors (300) (col. 5, lines 50-56 of Kent).

Regarding claim 4, the combination of Callicott, Robsky, and Kent teaches a fixed electronic circuit layer (1200) and the pressure activated sensors are disposed between said circuit layer and said display mechanism (, Figs. 3, 7, 9, and 12, from col. 5, line 36 to col. 6, line 28, col. 4, lines 4-37 of Kent).

Regarding claims 7 and 13, the combination of Callicott, Robsky, and Kent teaches the plurality of pressure activated sensors are operable to register a position where contact is made with said transparent flexible thermoplastic outer film (col. 4, lines 32-48 of Kent).

Regarding claim 12, the combination of Callicott, Robsky, and Kent teaches single-piece bezel-less top cover has sufficient range of motion to allow mechanical transfer between said top cover and said plurality of pressure activated sensors (col. 5, lines 37-56 of Kent).

Regarding claims 9, 20 and 23, the combination of Callicott, Robsky, and Kent teaches an accelerometer operable to identify the parameters of a valid input event (from col. 7, line 40 to col. 8, line 32 of Kent).

5. Claims 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Callicott et al. (U.S. Patent No. 6,343,519) in view of Robsky et al. (U.S. Patent No. 5,838,309) and further in view of McIntyre et al. (U.S. Patent No. 6,630,928).

Regarding claim 15, the combination of Callicott and Robsky further teaches the single-piece bezel-less top cover has indentations (col. 3, lines 52-54 of Robsky).

The combination of Callicott and Robsky differs from claim 15 in that it does not specifically teach the indentations indicate button functions. McIntyre teaches areas (2) indicate button functions (col. 5, lines 29-47). Although McIntyre does not teach the area (2) is indentation. However, it would have been obvious to obtain the area is indentation in order to touch the functional buttons easily and efficiently. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the indentations indicate button functions as taught by McIntyre in the system of the combination of Callicott and Robsky in order to improve the display device with easily and efficiently touching the functional buttons.

6. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jennifer T. Nguyen** whose telephone number is **703-305-3225**. The examiner can normally be reached on Mon-Fri from 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard A Hjerpe** can be reached at **703-305-4709**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC. 20231

**Or faxed to: 703-872-9306 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Jennifer T. Nguyen  
1/14/2004



REGINA LIANG  
PRIMARY EXAMINER